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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/732,973	12/10/2003	Eduard Hoffmann	4100-330	8497

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EXAMINER

FERGUSON, MARISSA L

ART UNIT

PAPER NUMBER

2854

DATE MAILED: 03/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/732,973

Applicant(s)

HOFFMANN ET AL.

Examiner

Marissa L. Ferguson

Art Unit

2854

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 February 2004.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vrotacoe et al. (US Patent 5,323,702) in view of Vrotacoe et al. (US Patent 6,105,498).

Regarding claim 1, Vrotacoe et al. ('702) teaches an inner carrier sleeve (40) which can be expanded outwardly using air (Column 4, Lines 61-65 and Column 5, Lines 1-6), a rubber covering on the inner carrier sleeve (74,90), the rubber covering comprising a layer having compressible layer elements (62,64), a second layer having elastic layer elements (Column 3, Lines 38-54, Column 5, Lines 46-68 and Column 6, Lines 1-6) and the elastic layer elements being uniform in the circumferential direction (Figure 3 shows uniform layers). However, he does not explicitly show varying degrees as a function of axial position so that a sleeve has a tangential stiffness profile, which varies in the axial direction symmetric with respect to the axial center of the sleeve.

Vrotacoe et al. ('498) teaches a printing press with various layers that discloses a varying profile cylinder blanket with profile variations in an axial position (Abstract and Column 2, Lines 43-49). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the invention taught by Vrotacoe et al. ('702) to include varying profiles as taught by Vrotacoe et al. ('498),

since Vrotacoe et al. ('498) teaches it is advantageous to vary the profile in order to prevent the formation of wrinkles on the web.

Regarding claim 2, Vrotacoe et al. ('498) teaches the invention claimed, however he does not explicitly disclose wherein a tangential elasticity profile affects the speed profile of a conveyed paper web in a range of -0.5% to +0.5% across the width of the web. Vrotacoe et al. ('702) teaches a blanket with varying profiles that in turn determines a velocity profile (Column 2, Lines 50-67 and Column 3, Lines 1-10). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the invention taught by Vrotacoe et al. ('702) to include varying velocity profiles as taught by Vrotacoe et al. ('498), since Vrotacoe et al. ('498) teaches it is advantageous to overcompensate for variable velocities, so that lateral extremities of the web travel faster than the central web portions in order to eliminate wrinkling of the web.

Regarding the claimed range of -0.5% to +0.5% across the width of the web, it has been held that where the general conditions of a claim are disclosed in the prior art, discovering the optimum or workable ranges involves only routine skill in the art. ***In re Aller, 105 USPQ 233***. It would have been obvious to include the claimed range since such a modification would result in a web having uniform speed in order to prevent the formation of folds of the web.

Regarding claim 3, Vrotacoe et al. ('702) teaches a third rubber layer (100) over the first and second layers (Figure 3).

Regarding claims 4-7, Vrotacoe et al. teaches the claimed invention including fibers (154), however he does not explicitly disclose concave, convex and double convex profiles. Vrotacoe et al. ('498) teaches a convex profile (Figure 7), a concave profile (Figure 8). Vrotacoe et al. ('498) does not teach a double profile he does at least teach the similar profiles. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the invention taught by Vrotacoe et al. ('702) to include convex and concave profiles as taught by Vrotacoe et al. ('498), since Vrotacoe et al. ('498) teaches it is advantageous to vary the profile in order to prevent the formation of wrinkles on the web.

Response to Arguments

2. Applicant's arguments filed 12/9/04 have been fully considered but they are not persuasive. Specifically in regards to applicant's comments "Vrotacoe '498 does not vary stiffness by prestraining the elastic elements", the examiner notes the claim 1 is an apparatus claim. The "prestraining" the applicant refers to is a process step.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marissa L Ferguson whose telephone number is (571) 272-2163. The examiner can normally be reached on (M-T) 6:30am-4:00pm and every other (F) 7:30am-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Hirshfeld can be reached on (571) 272-2168. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2854

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Marissa L Ferguson
Examiner
Art Unit 2854

MAF

Ren Yan
REN YAN
PRIMARY EXAMINER